

FEB 13 2006 *MP*

MARY L.M. MORAN
CLERK OF COURT

Wayson W. S. Wong, Esq.
Law Offices of Wayson Wong
142 Seaton Blvd., Suite 203
Hagatna, Guam 96910
Ph. 475-7448

Attorney for Plaintiff

IN THE DISTRICT COURT OF GUAM

TERRITORY OF GUAM

QUAN XING HE aka QUIONG, HE XIN,)	<i>CV ref</i> Case No.: 01-00068
)	
Plaintiff,)	PLAINTIFF'S STATUS REPORT
)	TO THE COURT
vs.)	
)	
GOVERNMENT OF GUAM and the)	
UNITED STATES, and NATIONAL)	
UNION FIRE INSURANCE COMPANY)	
OF PITTSBURGH, PA.,)	
)	
Defendants.)	

PLAINTIFF'S STATUS REPORT TO THE COURT

Plaintiff Quan Xing He aka Quiong, He Xin ("Mr. He"), by and through his attorney, Wayson W. S. Wong, Esq., of the Law Offices of Wayson W. S. Wong, A Professional Corporation, pursuant to this Court's Order filed on February 10, 2006, provides this Court with a detailed status report as the Order has required.

As the record indicates, this action was stayed pending the determination of the related action denominated He v. Government of Guam, et al., Civil Case No. CV0631-02 currently pending in the Superior Court of Guam ("Superior Court case").

ORIGINAL

Defendant National Union Fire Insurance Company of Pittsburgh, Pa (“National Union”) moved for summary judgment in the Superior Court case as it had done in this case. The Superior Court denied its motion like this Court had denied it.

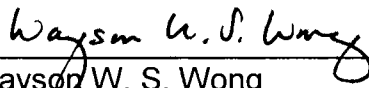
Trial is scheduled for March 6, 2006 – March 10, 2006, and the Superior Court is intent on conducting that trial, unless an “asserted” criminal case needs to be tried. The parties expect that motions will be filed in that criminal case to cause it to be postponed. Thus, there is a good chance that the trial of the Superior Court case will proceed as scheduled.

The Superior Court case is against defendant Government of Guam and its insurer, National Union. National Union issued a liability insurance policy of \$1 million, which is involved in that case. This case pending in this Court is for a Federal Tort Claims Act claim for \$830,000, against defendant United States. The resolution of the Superior Court case could resolve this case pending in this Court. That is why the Mr. He and defendant United States stipulated to stay these proceedings pending the determination of the Superior Court case.

However, there is a possibility that the defendants in the Superior Court case could be determined to be not liable to Mr. He, and he then would want to proceed against defendant United States in this case. If this case is dismissed or closed now or before the determination of the Superior Court case, Mr. He probably would not be able to pursue his claims against defendant United States because of the applicable statute of limitations.

In the interests of justice, Mr. He respectfully asks this Court to continue to allow this case to be stayed, pending the determination of the Superior Court case.

Dated: Hagatna, Guam, February 13, 2006.



Wayson W. S. Wong
Attorney for Plaintiff